

Handbook of

Forest (Conservation) Act, 1980

and

Forest Conservation Rules, 2003

(Guidelines & Clarifications)



Ministry of Environment, Forest and Climate Change

Government of India

2019

and mutated in favour of the State Forest Department for creation of CA immediately on receipt of Stage-I approval under the FC Act for diversion of forest land required by the user agency, will be sufficient.

2.4. Clarification:

- (i) As a matter of pragmatism, the revenue lands/zudpi jungle/chhote/badie jhar ka jungle/jungle-jhari land/civil-soyam/orange lands and all other such categories of forest lands not under management and/or administrative control of the State Forest Department, on which the provisions of FC Act, 1980 are applicable, shall be considered for the purpose of compensatory afforestation. Such lands on which compensatory afforestation is proposed shall be provided double in extent to the area proposed for diversion and shall be transferred and mutated in the name of State Forest Department. It shall be notified as Reserve Forest (RF)/Protected Forests (PF) under the Indian Forest Act, 1927 prior to Stage-II approval.
- (ii) In Arunachal Pradesh, Degraded Unclassed Forests (USF) shall be considered for CA provided such land proposed for CA shall be double the extent of area proposed for diversion. Such land shall be transferred and mutated in the name of State Forest Department and notified as RF/PF, under IFA 1927 or Assam Forest Regulation 1891 or Anchal Forest Reserve/Village Forest Reserve under the Arunachal Pradesh Forest Reserve/Village Forest Reserve (Consolidation and Maintenance) Act 1978 as amended from time to time, prior to Stage-II approval.
- (iii) Waste lands of Himachal Pradesh, which come under the category of Protected Forests but have neither been demarcated on the ground nor transferred & mutated in the name of forest department in the revenue records, shall be considered for the purpose of CA provided that double the area of such category is covered under CA and is declared as RF/PF under IFA, 1927 after mutation in the name of SFD prior to Stage-II approval. This dispensation shall be applicable for the Central, State and Private sector projects.
- (iv) Provisions of CA will be applicable for renewal of a mining lease, including the area broken up prior to 25.10.1980, if the same was not applied earlier.
- (v) Any non-forest land for the purpose of Compensatory afforestation (CA) selected by the State Government, in lieu of forest land to be diverted may be accepted by MoEF&CC irrespective of crown density. All such lands shall be mutated in favour of State forest department and declared as protected forest prior to stage I approval.
- (vi) State government shall prepare a CA scheme with 1000 plants per ha for all such non-forest lands. In case it is not possible to raise plantation at the rate of 1000 plants per ha on the selected non-forest land, then the balance plants shall be planted on degraded forest land as per working plan prescriptions. All forest lands which have crown density below 40 percent should only be treated as degraded forest land for the purpose of CA.
- (vii) Any degraded forest land for the purpose of CA, selected by State Government may be accepted by MoEF&CC only if the crown density of the area is below 40 percent.